

PUNJAB STATE INFORMATION COMMISSION

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Sh. Kewal Singh S/o Sh. Sarwan Singh,
R/o Village- Mandiani, PO –Mohar,
Tehsil –Balachaur,
District –SBS Nagar.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Balachaur,
District –SBS Nagar.

.....Respondent

Complaint Case .No. 139 of 2020

Present:- Shri Kewal Singh complainant.
Shri Taranjit Singh Bajar, 9417756631 Panchayat Secretary on behalf of the
respondent.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the show cause notice was issued to Sh. Taranjit Singh Bajar, Panchayat Secretary for imposition of penalty and was also directed to remain present at Chandigarh on the next date of hearing i.e. 14.7.2020 but due to administrative reasons the case could not be heard and the case was adjourned to 13.8.2020.

2. Both the parties remain present and after deliberations, it has transpired that the respondents have not supplied the information related to the expenditure as per the RTI application of the appellant. It has also transpired that the respondent-Public Information Officer has excessively charged the fee pertaining to the information as only 116 pages have been supplied. The fees @ Rs.2/- comes to Rs.232/- in accordance with the provisions of the RTI Act. Accordingly, the respondent-Public Information Officer is directed to refund Rs.1948/-, as excessively charged, to the complainant before the next date of hearing.

3. The respondent-Public Information Officer is also directed to file the reply regarding show cause notice issued to him before the next date of hearing failing which the decision will be taken against him ex-parte on the next date of hearing. The respondent-Public Information Officer is also directed to provide the remaining information concerning the expenditure (Point No. 3 of the RTI application) before the next date of hearing.

3. To come up on 11.9.2020 at 12.30 AM at Chandigarh.

Sd/

Dated:13.8.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC
Block Development & Panchayat Officer, (REGD.)
Block Balachaur,
District SBS Nagar.

To ensure the compliance of the order and
presence of the respondents

Sh. Taranjit Singh Bajar, Panchayat Secretary (REGD.)
c/o Block Development & Panchayat Officer,
Block Balachaur, District SBS Nagar.

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Sh. Mewa Singh s/o Sh. Mohan Lal
Sh. Nand Kumar s/o Sh. Gurcharan Singh
r/o Andana, Tehsil Munak,
District Sangrur.

....Complainant

Vs

Public Information Officer
o/o District Development and Panchayats Officer,
Mini Secretariat,
Sangrur

....Respondent

Complaint Case No. 77 of 2020
(Cisco Webex Proceedings)

Present:- Sh. Mewa Singh, appellant
Sh. Shavinder Singh, Block Development and Panchayats Officer, Andana at Munak,
Sangrur on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but due to administrative reasons the case was postponed to today i.e. 13.8.2020.

2. The complainant states that the respondent authority is not providing the information. The respondent-Public Information Officer states that the information has already sent to the complainant on 25.6.2020 with a copy to the Commission, which is taken on record.

3. After deliberations, it has been transpired that the information supplied by the respondent relates to the one point i.e. 446 dated 14.5.2019. **Copy of the same is attached with this order.**

4. Accordingly, the respondent-Public Information Officer is directed to supply the action taken/status of complaint no. 581 dated 29.5.2019 and 606 dated 31.5.2019 as per the RTI application, before the next date of hearing failing which the penalty provisions will be invoked.

5. To come up on 2.9.2020 at 12.30 P.M. to be heard through Cisco Webex.

Sd/

Dated:13.8.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Kuldip Singh S/o Sh. Gurmeet Singh,
R/o Village- Chandpur, PO –Sialba,
Tehsil – Kharar, (84375-04107)
District- Mohali.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Majri, Tehsil – Kharar,
District- Mohali.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Block- Majri, Tehsil – Kharar,
District-Mohali.

..... Respondents

Appeal Case No. 706 of 2020

Present:- None on behalf of the appellant.

Ms. Rajwant Kaur, Panchayat Secretary, 9501486419 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but could not be heard due to administrative reasons and the case was adjourned to 13.8.2020.

2. The representative of the respondents states that the complete information has been supplied to the appellant. Whereas the appellant sent an email, which is taken on record, that the information regarding the bank statement and the amount deposited in the bank in lieu of auction of shamlat land is required. The representative of the respondents states that it is not the part and parcel of the RTI application, hence, she has not supplied the same.

3. After going through the same it transpires that the appellant has not sought the information pertaining to the bank statement and the amount deposited in the bank in lieu of auction of shamlat land. Accordingly, no more cause of action is left in this case, hence, the case is disposed of and closed.

Dated:13.8.2020

Sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Sardool Singh S/o Sh. Sukhchain Singh,

R/o Vill. -Ghumara, (98150-41837)

Tehsil –Malout, 151211

District –Sri Muktsar Sahib.

.....Complainant

Vs

Sh. Sukhjinder Singh, **(Registered)**

Public Information Officer,

O/o Panchayat Secretary, Ghumiara,

C/o Block Development & Panchayat Officer,

Block –Lambi, Tehsil -Malout,

District- Sri Muktsar Sahib.

PIO/Block Development and Panchayats Officer, **(Registered)**

Lambi, District Sri Mukatsar Sahib.

PIO/Water Supply and Sanitation Department, Punjab,

Malout, District Sri Mukatsar Sahib.

.....Respondents

Complaint Case .No. 995 of 2019

(Video Conference Proceedings)

Present:- Sh. Sardool Singh, complainant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but could not be heard due to administrative reasons and the case was adjourned to 13.8.2020.

2. The complainant states that the information has been supplied by the respondent-Public Information Officer except the expenditure made on repair of houses in respect of the RTI application. The complainant requests the Commission to direct the respondents to supply the amount spent for repair of each house.

3. A copy of the letter bearing endorsement no. 45 dated 29.7.2020 has been received in the Commission, which is taken on record, by the Block Development and Panchayats Officer, Lambi in which Sh. Sukhjinder Singh, Panchayat Secretary has been directed to remain present during the hearing and also supply the complete information. But neither the respondent-Public Information Officer provided the information nor attended the hearing. The respondent-PIO is absent without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Sukhjinder Singh, Panchayat Secretary, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay/denial of the information to the RTI applicant.

4. In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty

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Complaint Case .No. 995 of 2019

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on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

5. The respondent-Public Information Officer is further directed to supply the information regarding the amount spent for repair of each house to the complainant with a copy to the Commission before the next date of hearing.

6. To come up on 11.9.2020 at 12.30 P.M. to be heard through video conference facility available in the office of the Deputy Commissioner, Sri Muktsar Sahib.

Sd/

Dated: 13.8.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Ajay Kumar,

R/o H No.- 1, Rose Avenue Colony,

Near Improvement Trust Office,

Block- Malerkotla,

District -Sangrur.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayats Officer,

Block- Malerkotla-1,

District -Sangrur.

First Appellate Authority,

O/o Block Development & Panchayats Officer,

Block- Malerkotla-1,

District -Sangrur.

.....Respondents

Appeal Case No. 882 of 2020

(Video Conference Proceedings)

Present:- Sh. Ajay Kumar, appellant.

Sh. Ekam Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but could not be heard due to administrative reasons and the case was adjourned to 13.8.2020.

2. The appellant states that the complete information has been received except Point No. 2, 4, 5, and 13 of the RTI application. However, the representative of the respondents states that the information pertaining to Point No. 2 has to be supplied by the Revenue Department and Tehsildar, Amargarh is the custodian of the same. With regard to Point No. 4, 5 and 13, the representative of the respondents states that the submissions will be made before the next date of hearing. The respondents are also directed to transfer the said RTI application under Section 6(3) of the RTI Act concerning the information related to Point No.2 of the same.

3. Accordingly, the Public Information Officer o/o Tehsildar Amargah is impleaded as necessary party in this case to submit the reply/supply the information pertaining to Point No. 2 of the RTI application, **copy of which is attached herewith**, before the next date of hearing and the respondents are directed to file the reply/supply the information pertaining to Point No. 4,5 and 13 of the RTI application.

4. To come up on 11.9.2020 at 12.30 P.M. to be heard through video conference facility available in the office of the Deputy Commissioner, Sangrur.

Dated:13.8.2020

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

Public Information Officer
o/o Tehsildar,
Amargarh Tehsil, District Sangrur

Registered

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Sh. Narinder Kumar, 9876702642,

S/o Sh. Gopal Krishan,

Vill: Prem Singh Wala,

P.O: Buzark, Tehsil: Samana,

Distt: Patiala

.....Complainant

Vs

Public Information Officer,

Panchayat Secretary, Gram Panchayat,

Prem Singh Wala, Block Samana,

c/o Block Development & Panchayat Officer,

Block Samana,

Distt: Patiala.

.....Respondent

Complaint Case .No. 723 of 2019

Present:- Shri Narinder Kumar, complainant.

Shri Surjit Singh on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but could not be heard due to administrative reasons and the case was adjourned to 13.8.2020.

2. The representative of the respondents states that he has brought the information comprising 54 pages and handed over the same to the complainant during the course of hearing duly certified. However, the complainant states that the respondents are not providing the complete information and he further states that he would like to inspect the original record for reconciliation. The respondent-Public Information Officer-cum-Panchayat Secretary states that it is the old record and is in the custody of the Sarpanch and may take the original record only in case the Block Development and Panchayats Officer intervened.

3. Accordingly, the matter was discussed with Sh. Gurmail Singh, Block Development and Panchayats Officer, Samana on phone and he assured that the complainant may be sent to his office and he will make available the record for inspection and reconciliation of the complainant. He also assured that the copies of documents will be provided, if so desired by the complainant, pertaining to the RTI application. With the mutual understanding of both the parties the date of inspection has been fixed as 29.8.2020 at 11.30 AM in the office of the Block Development and Panchayats Officer, Samana. Block Development and Panchayats Officer, Samana is also directed to send the compliance report to the Commission after inspection and reconciliation failing which the punitive action will be initiated on the next date of hearing.

4. To come up on 11.9.2020 at 12.30 P.M. at Chandigarh.

Sd/

Dated:13.8.2020

(Suresh Arora)

Chief Information Commissioner,

Punjab.

Sh. Gurmail Singh

Registered.

Block Development and Panchayats Officer,

Block Samana,

Patiala

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Sh. Manpreet Singh Aulakh,
s/o Sh. Davinder Singh,
r/o Vill Kailpur, P.O. Dakha,
District Ludhiana

....Appellant

Vs

Public Information Officer,
o/o Executive Officer,
Nagar Council, Mullanpur Dakha,
Ludhiana,

First Appellate Authority
o/o Deputy Director,
Local Bodies,
Mini Secretariat, Ludhiana.

....Respondents

Appeal Case No. 3746 of 2019

(Cisco Webex Proceedings)

Present:- Sh. Manpreet Singh Aulakh, appellant.
Sh. Abhey Joshi, Accountant on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.6.2020 vide which the case was adjourned to 14.7.2020 but could not be heard due to administrative reasons and the case was adjourned to 13.8.2020.

2. The representative of the respondents states that the information as available in the record has been supplied to the appellant. Whereas the appellant states that the respondent-Public Information Officer is submitting a misleading affidavit/statement. The appellant further states that he has sought the information regarding his complaint sent through email on 13.12.2018 in public interest i.e. the shopkeeper Mr Happy had constructed the four story building at Raikot Road, Meena Bazar, Ludhiana without sanction of the drawing by the EO Mullanpur on the one hand and had also constructed the stairs by encroaching the government land on the other side. The appellant further states that Sh. Parvinder Singh, Chief Executive Officer, Nagar Council, Mullanpur has submitted an affidavit in which he has written that "ਇਹ ਕਿ ਉਲੰਘਣਾ ਕਰਤਾ ਨੂੰ ਨਗਰ ਕੌਂਸਲ ਵੱਲੋਂ ਪੱਤਰ ਨੰ: 3 ਮਿਤੀ 3.1.2019 ਨੂੰ ਨੋਟਿਸ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ ਜਿਸ ਦੀ ਕਾਪੀ ਪ੍ਰਾਰਥੀ ਨੂੰ ਦਿਤੀ ਜਾ ਚੁੱਕੀ ਹੈ ਅਤੇ ਉਸ ਦਾ ਕੋਈ ਵੀ ਬਿਆਨ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਦਰਜ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਸੀ ". The appellant further states that the respondent-Public Information Officer has already provided the reply submitted by Sh. Dilkush Singh against whom the complaint was made by him, copy of the same has been sent to the Commission, which is taken on record. Furthermore, the appellant states that the respondent-Public Information Officer is misleading the Commission.

3. After hearing both the parties, it transpired that the respondent-Public Information Officer is knowingly making the false statement despite the information being sought is in the public interest. The work and conduct of the officer/official in this case should have been proactive to safeguard the interests of the State. But in the instant case, the appellant is being harassed by not providing the factual information regarding his complaint. Viewing

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Appeal Case No. 3746 of 2019

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the attitude in dealing with the RTI application a show cause notice was issued on 20.2.2020 to Sh. Parvinder Singh under Section 19(8)(b) of the RTI Act to compensate the appellant. Even though the misleading information is being supplied, thus, Sh. Parvinder Singh, Public Information Officer is directed to pay an amount of Rs.5000/- via demand draft drawn through Government Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting the information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

4. Also viewing the attitude of the respondents in dealing with the RTI application as mentioned above, seriously, Shri Vikramjeet, E.O. (at the time of RTI application) now posted as E.O., Nagar Council, Ahmedgarh & Shri Parvinder Singh, presently, Chief Executive Officer-cum-Public Information Officer are, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay/denial of the information to the RTI applicant.

4. In addition to the written reply, the PIOs are also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. They may take note that in case they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the next date, it will be presumed that they have nothing to say and the Commission will proceed ex-parte. Also the respondents are directed to take appropriate action on his RTI application for seeking information under the provision of the RTI Act, 2005 before the next date of hearing.

5. To come up on 11.9.2020 at 12.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

sd

Dated: 13.8.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Shri Vikramjeet, (Registered)
Executive Officer,
Nagar Council,
Ahmedgarh (Sangrur).

Shri Parvinder Singh, (Registered)
Chief Executive Officer-cum-
Public Information Officer,
Nagar Council, Mullanpur Dakha,
Ludhiana.

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Sh. Karamvir Singh s/o Sh. Fakira Ram &
Sh. Ajmer Singh s/o Sh. Mola Ram,
r/o Andana Tehsil Munak,
District Sangrur

..Complainant

Vs

Public Information Officer
o/o Financial Commissioner,
Rural Development and Panchayat Deptt, Pb.
Vikas Bhawan, Sector 62,
Mohali.

....Respondent

Complaint Case No. 78 of 2020
(Video Conference /Cisco Webex Proceedings)

Present: Sh. Ajmer Singh, on behalf of the appellant.

None on the behalf of the respondents.

Order

This order may be read with reference to the previous order dated 24.6.2020 vide which one adjournment was granted on the request of the representative of the respondents with direction to provide the action taken report on the request of the complainant's letter dated 1.6.2019 before the next date of hearing and the case was adjourned to 14.7.2020 and was postponed to 13.8.2020 due to administrative reasons.

2. The appellant states that no information has been provided so far.
3. The representative of the respondents sent a letter dated 31.7.2020, which is taken on record, vide which the information comprising 25 pages have been supplied through registered parcel. But the appellant states that he has not received the same till date.
4. Accordingly, the respondent-Public Information Officer is directed to send the copy of the same to the Commission and also directed to supply the remaining information to the complainant before the next date of hearing.
5. To come up on 2.9.2020 at 12.30 P.M. to be heard through Cisco Webex.

sd

Dated 13.8.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Divisional Deputy Director,
Rural Development and Panchayats Punjab,
District Administrative Complex,
Patiala.

Registered

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Ajmer Singh s/o Sh. Mola Ram,
r/o Andana Tehsil Munak,
District Sangrur.

....Appellant

Vs

Public Information Officer
o/o District Development and Panchayats Officer,
Mini Secretariat,
Sangrur.

First Appellate Authority
o/o Addl. Deputy Commissioner (D)
Administrative Complex,
Sangrur.

....Respondents

Complaint Case No. 284 of 2020
(Cisco Webex Proceedings)

Present: Sh. Ajmer Singh, appellant.

Sh. Shavinder Singh Block Development and Panchayat Officer (M
9878450290), Block Andana at Munak on behalf of the respondents.

Order

This order may be read with the reference to the previous order dated 24.6.2020 vide which a last opportunity was granted to the respondents to provide the information to the appellant and the case was adjourned to 14.7.2020 but postponed to 13.8.2020 due to administrative reasons and the case was adjourned to 13.8.2020 for further proceedings.

2. The appellant states that no information has been supplied so far even after the assurance given by the District Development and Panchayats Officer, Sangrur and Block Development and Panchayats Officer, Block at Andana.

3. After hearing both the parties it has transpired that during the hearing on 12.2.2020 nobody appeared on behalf of the respondents and the case was adjourned to 3.3.2020. No one appeared on behalf of the respondents on 3.3.2020 and Sh. Dimple Panchayat Secretary was impleaded as necessary party in this case. On 2.6.2020, Sh. Narpinder Singh, District Development and Panchayats Officer, Sangrur attended the hearing and stated that the information is ready and will be supplied to the appellant before the next date of hearing. On the assurance given by the District Development and Panchayats Officer, the case was adjourned to 24.6.2020. On 24.6.2020, Sh. Shavinder Singh, Block Development and Panchayats Officer, appeared and stated that the information is ready and will be supplied before the next date of hearing and requested for the adjournment of the case and the case was fixed for hearing on 14.7.2020 but could not be heard due to administrative reasons and adjourned to today i.e. 13.8.2020. Sh. Shavinder Singh, Block Development and Panchayats Officer states that the information has to be supplied by Sh. Dimple, Panchayat Secretary, who is the Public Information Officer in this case.

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Complaint Case No. 284 of 2020

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It transpired that the information is being delayed deliberately by the respondents. accordingly, viewing the attitude of the respondents seriously, the Sh. Narpinder Singh, District Development and Panchayats Officer, Sangrur, Sh. Shavinder Singh, Block Development and Panchayats Officer and Sh. Dimple, Panchayat Secretary, are, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay/denial of the information to the RTI applicant.

4. In addition to the written reply, Sh. Narpinder Singh, District Development and Panchayats Officer, Sangrur, Sh. Shavinder Singh, Block Development and Panchayats Officer and Sh. Dimple, Panchayat Secretary, are also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. They may take note that in case they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the next date, it will be presumed that they have nothing to say and the Commission will proceed ex-parte.

5. The respondents are further directed to supply the information pertaining to the RTI application to the complainant with a copy to the Commission before the next date of hearing.

6. To come up on 2.9.2020 at 12.30 P.M. to be heard through Cisco Webex.

sd

Dated 13.8.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.
Registered

Sh. Narpinder Singh,
District Development and Panchayats Officer,
District Administrative Complex,
Sangrur,

Sh. Shavinder Singh,
Block Development and Panchayats Officer
Block Andana at Munak,
Sangrur.

Registered

Sh. Dimple, Panchayat Secretary,
c/o Block Development and Panchayats Officer
Block Andana at Munak,
Sangrur.

Registered

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Sh. Udham Singh S/o Sh. Gurnam Singh, 9872420679

R/o Village- Bhundar Bhaini,

Block- Andana,

District Sangrur.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayats Officer,

Block- Andana at Moonak,

District -Sangrur.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat, Sangrur.

.....Respondents

Appeal Case No. 864 of 2020

(Cisco Webex Proceeding)

Present : Sh. Udam Singh, appellant.

Sh. Shavinder Singh, Block Development and Panchayat officer, Block Andana at Munak on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 24.6.2020 vide which the appellant was advised to go through the information and revert back to the respondent Public Information Officer in case of any deficiency and respondent was directed to remove the same and the case was adjourned to 14.7.2020 and postponed to 13.8.2020 due to administrative reasons.

2. The representative of the respondents states that the complete information has been supplied and also the receipt of the appellant has been sent to the Commission, which is taken on record. He further requests to close the case.

3. As per the request of the representative of the respondents and the receipt given by the appellant no more cause of action is left in this case, hence, the case is disposed of and closed.

Sd/

Dated 13.8.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.